IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

United States of America, Plaintiff, **vs.** Pedro Leonides GUZMAN-Rosas Evelyne RUIZ, Mayra Alejandra ZEPEDA Defendant(s),	)	**AFFIDAVIT** 08-16028M-SD FOR DETENTION OF MATERIAL WITNESSES Joel FLORES-Chamorro, Noel ASTORGA-Mendosa, Juan Antonio MACIAS-Gallo Citizens of Mexico

BEFORE Jay R. Irwin (U.S. Magistrate) 325 W. 19th Street Yuma, Arizona 85364 (Address of U. S. Magistrate)

STATE OF ARIZONA)
: ss.
CITY AND COUNTY OF YUMA)

I, Ernesto Aldrete, being duly sworn depose and state:

(1) That I have signed the complaint in the above entitled case and have investigated it and I am familiar with the facts of the case.

(2) That on or about August 15, 2008, within the Southern District of California, Defendant(s) Pedro Leonides GUZMAN-Rosas, Evelyne RUIZ, and Mayra Alejandra ZEPEDA, knowing or in reckless disregard of the fact that certain alien(s), namely, Joel FLORES-Chamorro, Noel ASTORGA-Mendosa, Juan Antonio MACIAS-Gallo, had come to, entered, or remained in the United States in violation of law, did transport or move or attempt to transport or move said alien(s) in furtherance of such violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii)(Felony).

(3) That on or about August 15, 2008, within the Southern District of California, Defendant(s) Pedro Leonides GUZMAN-Rosas, Evelyne RUIZ, and Mayra Alejandra ZEPEDA, did knowingly intentionally aid, abet, assist, counsel, command, and induce certain alien(s), namely, Joel FLORES-Chamorro, Noel ASTORGA-Mendosa, Juan Antonio MACIAS-Gallo, whom are aliens in the United States in violation of law to evade and elude examination and inspection by Immigration Officers of the United States of America; in violation of Title 18, United States Code, Section 2 and Title 8, United States Code, Section 1325 (Misdemeanor).

(4) That said alien(s) is/are illegally in the United States and that therefore it is wholly impracticable if not impossible to secure his/her/their attendance before the U.S. District Court by subpoena.

(5) That the United States Attorney for the District of Arizona, or one of his assistants acting on his behalf, has requested affiant(s) to secure an order of the Magistrate Judge to hold said person(s) as material witness(s).

WHEREFORE affiant on behalf of the government pursuant to 18 USC 3144 requests the Magistrate Judge commit him/her/them to the custody of the U.S. Marshal.

____
Affiant

Senior Patrol Agent
Title

Subscribed and sworn to before me this
18th day of August, 2008.

____
United States Magistrate Judge